

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:19-cr-107-2
v.)	
)	Judge Travis R. McDonough
LLUVIA SELENE REYES)	
)	Magistrate Judge Susan K. Lee
)	

ORDER

U.S. Magistrate Judge Susan K. Lee filed a report and recommendation (Doc. 87) recommending the Court: (1) grant Defendant's motion to withdraw her not-guilty plea to Count One and Count Four of the seven-count Indictment (2) accept Defendant's plea of guilty to the lesser-included offense of the charge in Count One, that is of conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B) and to Count Four; (3) adjudicate Defendant guilty of the lesser-included offense of the charge in Count One, that is of conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846, and of Count Four; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) Defendant will remain on bond under appropriate conditions of release until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with

the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 87) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw her not-guilty plea to Count One and Count Four of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty to the lesser-included offense of the charge in Count One, that is of conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B), and to Count Four is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty to the lesser-included offense of the charge in Count One, that is of conspiracy to distribute and possess with intent to distribute 5 grams or more of methamphetamine (actual) and 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(B), and to Count Four;
- (4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (5) Defendant **SHALL REMAIN** on bond under appropriate conditions of release until sentencing in this matter which is scheduled to take place on **June 19, 2020 at 2:00 p.m. [EASTERN]** before a District Judge.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE